

SENATE BILL 6443

State of Washington 55th Legislature 1998 Regular Session

By Senators Spanel, Swecker, Fraser, Jacobsen, Haugen, Snyder, McAuliffe, Bauer and Kohl

Read first time 01/19/98. Referred to Committee on Ways & Means.

1 AN ACT Relating to state funding for salmon-related programs;
2 amending 1997 c 454 s 302 (uncodified); amending 1997 c 454 s 304
3 (uncodified); amending 1997 c 454 s 305 (uncodified); and making
4 appropriations.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 Sec. 1. 1997 c 454 s 302 (uncodified) is amended to read as
7 follows:

8 FOR THE DEPARTMENT OF ECOLOGY

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 1998), General Fund--State Appropriation (FY 1999), General Fund--Federal Appropriation, General Fund--Private/Local Appropriation, Special Grass Seed Burning Research Account, Reclamation Revolving Account Appropriation, and Flood Control Assistance Account.

1	State Emergency Water Projects Revolving Account	
2	Appropriation	\$ 319,000
3	Waste Reduction/Recycling/Litter Control	
4	Appropriation	\$ 10,316,000
5	State and Local Improvements Revolving Account	
6	(Waste Facilities) Appropriation	\$ 601,000
7	State and Local Improvements Revolving Account	
8	(Water Supply Facilities) Appropriation	\$ 1,366,000
9	Basic Data Account Appropriation	\$ 182,000
10	Vehicle Tire Recycling Account Appropriation	\$ 1,194,000
11	Water Quality Account Appropriation	\$ 2,892,000
12	Wood Stove Education and Enforcement Account	
13	Appropriation	\$ 1,055,000
14	Worker and Community Right-to-Know Account	
15	Appropriation	\$ 469,000
16	State toxics Control Account Appropriation	\$ 53,715,000
17	Local toxics Control Account Appropriation	\$ 4,342,000
18	Water Quality Permit Account Appropriation	\$ 20,378,000
19	Underground Storage Tank Account	
20	Appropriation	\$ 2,443,000
21	Solid Waste Management Account Appropriation	\$ 1,021,000
22	Hazardous Waste Assistance Account	
23	Appropriation	\$ 3,615,000
24	Air Pollution Control Account Appropriation	\$ 16,224,000
25	Oil Spill Administration Account Appropriation	\$ 6,958,000
26	Air Operating Permit Account Appropriation	\$ 4,033,000
27	Freshwater Aquatic Weeds Account Appropriation	\$ 1,829,000
28	Oil Spill Response Account Appropriation	\$ 7,078,000
29	Metals Mining Account Appropriation	\$ 42,000
30	Water Pollution Control Revolving Account--State	
31	Appropriation	\$ 349,000
32	Water Pollution Control Revolving Account--Federal	
33	Appropriation	\$ 1,726,000
34	Biosolids Permit Account Appropriation	\$ 567,000
35	Environmental Excellence Account Appropriation	\$ 247,000
36	TOTAL APPROPRIATION	\$ ((251,795,000))
37		<u>248,587,000</u>

38 The appropriations in this section are subject to the following
39 conditions and limitations:

1 (1) \$3,211,000 of the general fund--state appropriation for fiscal
2 year 1998, \$3,211,000 of the general fund--state appropriation for
3 fiscal year 1999, \$394,000 of the general fund--federal appropriation,
4 \$2,017,000 of the oil spill administration account, \$819,000 of the
5 state toxics control account appropriation, and \$3,591,000 of the water
6 quality permit fee account are provided solely for the implementation
7 of the Puget Sound work plan and agency action items DOE-01, DOE-02,
8 DOE-03, DOE-04, DOE-05, DOE-06, DOE-07, DOE-08, and DOE-09.

9 (2) \$2,000,000 of the state toxics control account appropriation is
10 provided solely for the following purposes:

11 (a) To conduct remedial actions for sites for which there are no
12 potentially liable persons, for which potentially liable persons cannot
13 be found, or for which potentially liable persons are unable to pay for
14 remedial actions; and

15 (b) To provide funding to assist potentially liable persons under
16 RCW 70.105D.070(2)(d)(xi) to pay for the cost of the remedial actions;
17 and

18 (c) To conduct remedial actions for sites for which potentially
19 liable persons have refused to conduct remedial actions required by the
20 department; and

21 (d) To contract for services as necessary to support remedial
22 actions.

23 ~~((+6))~~ (3) \$200,000 of the general fund--state appropriation for
24 fiscal year 1998 is provided solely for the implementation of Engrossed
25 Substitute House Bill No. 1118 (reopening a water rights claim filing
26 period). If the bill is not enacted by June 30, 1997, the amount
27 provided in this subsection shall lapse.

28 ~~((+7))~~ (4) \$3,600,000 of the general fund--state appropriation for
29 fiscal year 1998 and \$3,600,000 of the general fund--state
30 appropriation for fiscal year 1999 are provided solely for the auto
31 emissions inspection and maintenance program. Expenditures of the
32 amounts provided in this subsection are contingent upon a like amount
33 being deposited in the general fund from the auto emission inspection
34 fees in accordance with RCW 70.120.170(4).

35 ~~((+8))~~ (5) \$170,000 of the oil spill administration account
36 appropriation is provided solely for implementation of the Puget Sound
37 work plan action item UW-02 through a contract with the University of
38 Washington's Sea Grant program in order to develop an educational

1 program that targets small spills from commercial fishing vessels,
2 ferries, cruise ships, ports, and marinas.

3 ~~((+9))~~ (6) The merger of the office of marine safety into the
4 department of ecology shall be accomplished in a manner that will
5 maintain a priority focus on oil spill prevention, as well as maintain
6 a strong oil spill response capability. The merged program shall be
7 established to provide a high level of visibility and ensure that there
8 shall not be a diminution of the existing level of effort from the
9 merged programs.

10 ~~((+10))~~ (7) The entire environmental excellence account
11 appropriation is provided solely for the implementation of Engrossed
12 Second Substitute House Bill No. 1866 (environmental excellence). If
13 the bill is not enacted by June 30, 1997, the amount provided in this
14 subsection shall lapse. In implementing the bill, the department shall
15 organize the needed expertise to process environmental excellence
16 applications after an application has been received.

17 ~~((+11))~~ (8) \$200,000 of the freshwater aquatic weeds account
18 appropriation is provided solely to address saltcedar weed problems.

19 ~~((+12))~~ (9) \$4,498,000 of the waste reduction, recycling, and
20 litter control account appropriation is provided for fiscal year 1998
21 and \$5,818,000 is provided for fiscal year 1999 to be expended in the
22 following ratios: Fifty percent for a litter patrol program to employ
23 youth and correctional work crews to remove litter from places that are
24 most visible to the public; twenty percent for grants to local
25 governments for litter cleanup under RCW 70.93.250; and thirty percent
26 for public education and awareness programs and programs to foster
27 local waste reduction and recycling efforts. From the amounts provided
28 in this subsection, the department shall provide \$352,000 through an
29 interagency agreement to the department of corrections to hire
30 correctional crews to remove litter in areas that are not accessible to
31 youth crews.

32 ~~((+13))~~ (10) The entire biosolids permit account appropriation is
33 provided solely for implementation of Engrossed Senate Bill No. 5590
34 (biosolids management). If the bill is not enacted by June 30, 1997,
35 the entire appropriation is null and void.

36 ~~((+14))~~ (11) \$29,000 of the general fund--state appropriation for
37 fiscal year 1998 and \$99,000 of the general fund--state appropriation
38 for fiscal year 1999 are provided solely for the implementation of
39 Substitute House Bill No. 1985 (landscape management plans). If the

1 bill is not enacted by June 30, 1997, the amounts provided in this
2 subsection shall lapse.

3 ~~((+15+))~~ (12) \$60,000 of the freshwater aquatic weeds account
4 appropriation is provided solely for a grant to the department of fish
5 and wildlife to control and eradicate purple loosestrife using the most
6 cost-effective methods available, including chemical control where
7 appropriate.

8 ~~((+16+))~~ (13) \$250,000 of the flood control assistance account
9 appropriation is provided solely as a reappropriation to complete the
10 Skokomish valley flood reduction plan. The amount provided in this
11 subsection shall be reduced by the amount expended from this account
12 for the Skokomish valley flood reduction plan during the biennium
13 ending June 30, 1997.

14 ~~((+18+))~~ (14) \$600,000 of the flood control assistance account
15 appropriation is provided solely to complete flood control projects
16 that were awarded funds during the 1995-97 biennium. These funds shall
17 be spent only to complete projects that could not be completed during
18 the 1995-97 biennium due to delays caused by weather or delays in the
19 permitting process.

20 ~~((+19+))~~ (15) \$113,000 of the general fund--state appropriation for
21 fiscal year 1998 and \$112,000 of the general fund--state appropriation
22 for fiscal year 1999 are provided solely for implementation of
23 Substitute Senate Bill No. 5505 (assistance to water applicants). If
24 the bill is not enacted by June 30, 1997, the amounts provided in this
25 subsection shall lapse.

26 ~~((+20+))~~ (16) \$70,000 of the general fund--state appropriation for
27 fiscal year 1998 and \$70,000 of the general fund--state appropriation
28 for fiscal year 1999 are provided solely for implementation of
29 Substitute Senate Bill No. 5785 (consolidation of groundwater rights).
30 If the bill is not enacted by June 30, 1997, the amounts provided in
31 this subsection shall lapse.

32 ~~((+21+))~~ (17) \$20,000 of the general fund--state appropriation for
33 fiscal year 1998 and \$20,000 of the general fund--state appropriation
34 for fiscal year 1999 are provided solely for implementation of
35 Substitute Senate Bill No. 5276 (water right applications). If the
36 bill is not enacted by June 30, 1997, the amounts provided in this
37 subsection shall lapse.

38 ~~((+23+))~~ (18) \$500,000 of the general fund--state appropriation for
39 fiscal year 1998 and \$500,000 of the general fund--state appropriation

1 for fiscal year 1999 are provided solely for the continuation of the
2 southwest Washington coastal erosion study.

3 (19) \$372,000 of the general fund--state appropriation for fiscal
4 year 1999 is provided solely for: (a) Technical assistance, permit
5 compliance, and enforcement activities within the shorelands program;
6 or (b) implementing initiatives that may be proposed by the
7 timber/fish/wildlife group for protection of wild salmonids.

8 (20) \$90,000 of the general fund--state appropriation for fiscal
9 year 1999 is provided solely for staff to implement permit coordination
10 activities and issue water quality certifications.

11 **Sec. 2.** 1997 c 454 s 304 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

14	General Fund--State Appropriation (FY 1998) . . . \$	((36,049,000))
15		<u>35,852,000</u>
16	General Fund--State Appropriation (FY 1999) . . . \$	((36,571,000))
17		<u>37,336,000</u>
18	General Fund--Federal Appropriation \$	73,015,000
19	General Fund--Private/Local Appropriation \$	26,758,000
20	Off Road Vehicle Account Appropriation \$	488,000
21	Aquatic Lands Enhancement Account	
22	Appropriation \$	5,593,000
23	Public Safety and Education Account	
24	Appropriation \$	590,000
25	Industrial Insurance Premium Refund	
26	Appropriation \$	120,000
27	Recreational Fisheries Enhancement	
28	Appropriation \$	2,387,000
29	Warm Water Game Fish Account Appropriation . . . \$	2,419,000
30	Wildlife Account Appropriation \$	((52,372,000))
31		<u>51,372,000</u>
32	Game Special Wildlife Account--State	
33	Appropriation \$	1,911,000
34	Game Special Wildlife Account--Federal	
35	Appropriation \$	10,844,000
36	Game Special Wildlife Account--Private/Local	
37	Appropriation \$	350,000
38	Oil Spill Administration Account Appropriation . \$	843,000

1	Environmental Excellence Account Appropriation	\$	20,000
2	Eastern Washington Pheasant Enhancement Account		
3	Appropriation	\$	547,000
4	TOTAL APPROPRIATION	\$	((250,877,000))
5			<u>250,445,000</u>

6 The appropriations in this section are subject to the following
7 conditions and limitations:

8 (1) \$1,181,000 of the general fund--state appropriation for fiscal
9 year 1998 and \$1,181,000 of the general fund--state appropriation for
10 fiscal year 1999 are provided solely for the implementation of the
11 Puget Sound work plan agency action items DFW-01, DFW-03, DFW-04, and
12 DFW-8 through DFW-15.

13 (2) \$188,000 of the general fund--state appropriation for fiscal
14 year 1998 and \$155,000 of the general fund--state appropriation for
15 fiscal year 1999 are provided solely for a maintenance and inspection
16 program for department-owned dams. The department shall submit a
17 report to the governor and the appropriate legislative committees by
18 October 1, 1998, on the status of department-owned dams. This report
19 shall provide a recommendation, including a cost estimate, on whether
20 each facility should continue to be maintained or should be
21 decommissioned.

22 (3) \$832,000 of the general fund--state appropriation for fiscal
23 year 1998 and \$825,000 of the general fund--state appropriation for
24 fiscal year 1999 are provided solely to implement salmon recovery
25 activities and other actions required to respond to federal listings of
26 salmon species under the endangered species act.

27 (4) \$350,000 of the wildlife account appropriation, \$72,000 of the
28 general fund--state appropriation for fiscal year 1998, and \$73,000 of
29 the general fund--state appropriation for fiscal year 1999 are provided
30 solely for control and eradication of class B designate weeds on
31 department owned and managed lands. The amounts from the general
32 fund--state appropriations are provided solely for control of spartina.

33 (5) \$140,000 of the wildlife account appropriation is provided
34 solely for a cooperative effort with the department of agriculture for
35 research and eradication of purple loosestrife on state lands.

36 (6) In controlling weeds on state-owned lands, the department shall
37 use the most cost-effective methods available, including chemical
38 control where appropriate, and the department shall report to the

1 appropriate committees of the legislature by January 1, 1998, on
2 control methods, costs, and acres treated during the previous year.

3 (7) A maximum of \$1,000,000 is provided from the wildlife fund for
4 fiscal year 1998. The amount provided in this subsection is for the
5 emergency feeding of deer and elk that may be starving and that are
6 posing a risk to private property due to severe winter conditions
7 during the winter of 1997-98. The amount expended under this
8 subsection must not exceed the amount raised pursuant to section 3 of
9 Substitute House Bill No. 1478. Of the amount expended under this
10 subsection, not more than fifty percent may be from fee revenue
11 generated pursuant to section 3 of Substitute House Bill No. 1478. If
12 the bill is not enacted by June 30, 1997, the amount provided in this
13 subsection shall lapse.

14 (8) \$193,000 of the general fund--state appropriation for fiscal
15 year 1998, \$194,000 of the general fund--state appropriation for fiscal
16 year 1999, and \$300,000 of the wildlife account appropriation are
17 provided solely for the design and development of an automated license
18 system.

19 (9) The department is directed to offer for sale its Cessna 421
20 aircraft by June 30, 1998. Proceeds from the sale shall be deposited
21 in the wildlife account.

22 (10) \$500,000 of the general fund--state appropriation for fiscal
23 year 1998 and \$500,000 of the general fund--state appropriation for
24 fiscal year 1999 are provided solely to continue the department's
25 habitat partnerships program during the 1997-99 biennium.

26 (11) \$350,000 of the general fund--state appropriation for fiscal
27 year 1998 and \$350,000 of the general fund--state appropriation for
28 fiscal year 1999 are provided solely for purchase of monitoring
29 equipment necessary to fully implement mass marking of coho salmon.

30 (12) \$238,000 of the general fund--state appropriation for fiscal
31 year 1998 and \$219,000 of the general fund--state appropriation for
32 fiscal year 1999 are provided solely for the implementation of
33 Substitute House Bill No. 1985 (landscape management plans). If the
34 bill is not enacted by June 30, 1997, the amounts provided in this
35 subsection shall lapse.

36 (13) \$150,000 of the general fund--state appropriation for fiscal
37 year 1998 and \$150,000 of the general fund--state appropriation for
38 fiscal year 1999 are provided solely for a contract with the United

1 States department of agriculture to carry out animal damage control
2 projects throughout the state related to cougars, bears, and coyotes.

3 (14) \$97,000 of the general fund--state appropriation for fiscal
4 year 1998 and \$98,000 of the general fund--state appropriation for
5 fiscal year 1999 are provided solely to implement animal damage control
6 programs for Canada geese in the lower Columbia river basin.

7 (15) \$170,000 of the general fund--state appropriation for fiscal
8 year 1998, \$170,000 of the general fund--state appropriation for fiscal
9 year 1999, and \$360,000 of the wildlife account appropriation are
10 provided solely to hire additional enforcement officers to address
11 problem wildlife throughout the state.

12 (~~(17)~~) (16) \$133,000 of the general fund--state appropriation for
13 fiscal year 1998 and \$133,000 of the general fund--state appropriation
14 for fiscal year 1999 are provided solely to implement Substitute Senate
15 Bill No. 5442 (flood control permitting). If the bill is not enacted
16 by June 30, 1997, the amounts provided in this subsection shall lapse.

17 (~~(18)~~) (17) \$100,000 of the aquatic lands enhancement account
18 appropriation is provided solely for grants to the regional fisheries
19 enhancement groups.

20 (~~(19)~~) (18) \$547,000 of the eastern Washington pheasant
21 enhancement account appropriation is provided solely for implementation
22 of Substitute Senate Bill No. 5104 (pheasant enhancement program). If
23 the bill is not enacted by June 30, 1997, the amounts provided in this
24 subsection shall lapse.

25 (~~(20)~~) (19) \$150,000 of the general fund--state appropriation for
26 fiscal year 1998 and \$150,000 of the general fund--state appropriation
27 for fiscal year 1999 are provided solely to hire Washington
28 conservation corps crews to maintain department-owned and managed
29 lands.

30 (~~(21)~~) (20) The entire environmental excellence account
31 appropriation is provided solely for implementation of Engrossed Second
32 Substitute House Bill No. 1866 (environmental excellence). If the bill
33 is not enacted by June 30, 1997, the entire appropriation is null and
34 void.

35 (~~(22)~~) (21) \$156,000 of the recreational fisheries enhancement
36 appropriation is provided solely for Substitute Senate Bill No. 5102
37 (fishing license surcharge). If the bill is not enacted by June 30,
38 1997, the amount provided in this subsection shall lapse.

1 ((+23+)) (22) \$25,000 of the general fund--state appropriation for
2 fiscal year 1998 and \$25,000 of the general fund--state appropriation
3 for fiscal year 1999 are provided solely for staffing and operation of
4 the Tennant Lake interpretive center.

5 (23) \$461,000 of the general fund--state appropriation for fiscal
6 year 1999 is provided solely for resource assessment activities within
7 the fisheries management program related to salmonid and steelhead
8 stocks.

9 (24) \$500,000 of the general fund--state appropriation for fiscal
10 year 1999 is provided solely for the habitat management program for
11 activities related to hydraulic code compliance and enforcement
12 activities.

13 **Sec. 3.** 1997 c 454 s 305 (uncodified) is each amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

16	General Fund--State Appropriation (FY 1998) . . . \$	23,767,000
17	General Fund--State Appropriation (FY 1999) . . . \$	((24,168,000))
18		<u>25,091,000</u>
19	General Fund--Federal Appropriation \$	1,156,000
20	General Fund--Private/Local Appropriation \$	422,000
21	Forest Development Account Appropriation \$	49,923,000
22	Off Road Vehicle Account Appropriation \$	3,628,000
23	Surveys and Maps Account Appropriation \$	2,088,000
24	Aquatic Lands Enhancement Account	
25	Appropriation \$	4,869,000
26	Resources Management Cost Account	
27	Appropriation \$	89,613,000
28	Waste Reduction/Recycling/Litter Control	
29	Appropriation \$	450,000
30	Surface Mining Reclamation Account	
31	Appropriation \$	1,420,000
32	Aquatic Land Dredged Material Disposal Site Account	
33	Appropriation \$	751,000
34	Natural Resources Conservation Areas Stewardship	
35	Account Appropriation \$	77,000
36	Air Pollution Control Account Appropriation . . . \$	890,000
37	Metals Mining Account Appropriation \$	62,000

1 TOTAL APPROPRIATION \$ ((203,284,000))
2 204,207,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) \$7,017,000 of the general fund--state appropriation for fiscal
6 year 1998 and \$6,900,000 of the general fund--state appropriation for
7 fiscal year 1999 are provided solely for emergency fire suppression.

8 (2) \$18,000 of the general fund--state appropriation for fiscal
9 year 1998, \$18,000 of the general fund--state appropriation for fiscal
10 year 1999, and \$957,000 of the aquatic lands enhancement account
11 appropriation are provided solely for the implementation of the Puget
12 Sound work plan agency action items DNR-01, DNR-02, and DNR-04.

13 (3) \$450,000 of the resource management cost account appropriation
14 is provided solely for the control and eradication of class B designate
15 weeds on state lands. The department shall use the most cost-effective
16 methods available, including chemical control where appropriate, and
17 report to the appropriate committees of the legislature by January 1,
18 1998, on control methods, costs, and acres treated during the previous
19 year.

20 (4) \$1,332,000 of the general fund--state appropriation for fiscal
21 year 1998 and \$1,713,000 of the general fund--state appropriation for
22 fiscal year 1999 are provided solely for fire protection activities.

23 (5) \$541,000 of the general fund--state appropriation for fiscal
24 year 1998 and \$549,000 of the general fund--state appropriation for
25 fiscal year 1999 are provided solely for the stewardship of natural
26 area preserves, natural resource conservation areas, and the operation
27 of the natural heritage program.

28 (6) \$2,300,000 of the aquatic lands enhancement account
29 appropriation is provided for the department's portion of the Eagle
30 Harbor settlement.

31 (7) \$195,000 of the general fund--state appropriation for fiscal
32 year 1998 and \$220,000 of the general fund--state appropriation for
33 fiscal year 1999 are provided solely for the implementation of
34 Substitute House Bill No. 1985 (landscape management plans). If the
35 bill is not enacted by June 30, 1997, the amounts provided in this
36 subsection shall lapse.

37 (8) \$600,000 of the general fund--state appropriation for fiscal
38 year 1998 and \$600,000 of the general fund--state appropriation for
39 fiscal year 1999 are provided solely for the cooperative monitoring,

1 evaluation, and research projects related to implementation of the
2 timber-fish-wildlife agreement.

3 (9) \$6,568,000 of the forest development account appropriation is
4 provided solely for silviculture activities on forest board lands. To
5 the extent that forest board counties apply for reconveyance of lands
6 pursuant to Substitute Senate Bill No. 5325 (county land transfers),
7 the amount provided in this subsection shall be reduced by an amount
8 equal to the estimated silvicultural expenditures planned in each
9 county that applies for reconveyance.

10 (10) \$923,000 of the general fund--state appropriation for fiscal
11 year 1999 is provided solely for the forest practices program for: (a)
12 Activities related to forest practices permitting and compliance; or
13 (b) implementing initiatives that may be proposed by the
14 timber/fish/wildlife group for protecting wild salmonid stocks.

--- END ---